



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

EPA Region 5 Records Ctr.



236889

A11 30 2006

REPLY TO THE ATTENTION OF SE-5J

VIA FACSIMILE (312) 440-0809, (312) 541-0340 AND U.S. MAIL

Mr. Eric Hinds
Golub & Company
625 North Michigan Avenue
Chicago, Illinois 60611-3110

Mr. Larry Bertsch
Mr. John Yang
GaiaTech
200 North LaSalle Street, Suite 2600
Chicago, Illinois 60601

RE: Phase I Development, 345 East Ohio, Chicago, Illinois AKA Former Time Life Property;
Former Teachers Retirement System Property; Ohio, Grand McClurg; U.S. EPA
designated removal site **Lindsay Light II** Operable Unit 03

Dear Mr. Hinds, Mr. Bertsch, and Mr. Yang:

You have represented to the United States Environmental Protection Agency (U.S. EPA) that Golub and Company ("Golub") is the owner of property formerly owned by the Teachers' Retirement System of Illinois ("TRS") and which was associated with the address of 341 E. Ohio. You have also explained that you plan to develop the former TRS property in two phases. The Phase I Development is associated with the address of 345 E. Ohio. You designated your Phase I Development plan as the "Soil Management Plan, Former Time Life Property, 341 E. Ohio Street, Chicago, Illinois, prepared for OGM Investors LLC, by GaiaTech, Inc. dated November 10, 2004." ¹ This letter will refer to that document as the "Phase I Soil Management Plan." The yet to be constructed Phase II Development is associated with the address of 355 E. Ohio. This word "Site" in this letter refers to both Phase I and Phase II developments and the adjacent sidewalk right-of-ways surrounding the properties. You have requested that U.S. EPA issue a letter stating that, in accordance with the Phase I Development Soil Management Plan, GaiaTech has completed the removal of radioactive material from property located at 345 E. Ohio, Chicago, Illinois and from adjacent City of Chicago right-of-ways along Grand Avenue and Ohio Street ("Phase I, 345 E. Ohio"). Conditioned upon U.S. EPA's receipt of, within 30

¹This Phase I Soil Management Plan also incorporated U.S. EPA comments contained in a letter from Verneta Simon to GaiaTech dated November 30, 2004.

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days of the date of this letter, a revised map of the Phase I and Phase II Developments as described in detail below, U.S. EPA has determined that with respect only to the Phase I portion of the property located at 345 E. Ohio, all soils have been radiologically investigated and remediated in accordance with the Phase I Soil Management Plan. In addition to the removal of radiologically contaminated soils within the legal property boundaries of the Phase I Development, however, institutional controls are necessary for any uninvestigated areas² or unremediated areas known to contain radiological contamination within the Phase I and Phase II development. Therefore, until appropriate institutional controls are implemented to prevent uncontrolled exposure to or release of radioactively contaminated soils in areas of known radioactive contamination and areas that have not been fully investigated, the work required to prevent the threat of an uncontrolled release of thorium from this Site is incomplete.

GaiaTech provided a Schematic Diagram dated August 17, 2005 that was included in electronic mail dated November 30, 2005. The Schematic Diagram showed the radiologically remediated areas of the Phase I Development. As stated in the preceding paragraph, this map must be revised within 30 days of the date of this letter. The revised map must precisely show the location of any area in the Phase I or Phase II property and the adjacent sidewalk right-of-ways that was not radiologically investigated as well as any area of known contamination in the Phase I or Phase II properties and adjacent sidewalk right-of-ways that was not remediated. The revised map should show any area where filter fabric was placed to delineate any uninvestigated or unremediated area. The revised map also should depict the property lines of the Phase I and Phase II development and the surrounding sidewalk right-of-ways and curb lines.

To prevent uncontrolled exposure to or release of radiologically contaminated soils in the areas known to contain radioactive contamination or in uninvestigated areas, institutional controls must be implemented that will notify any subsequent purchaser that radiological contamination is present or may be present on certain portions of the property. Please advise U.S. EPA of the

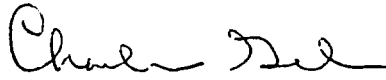
²The former TRS property was previously remediated in accordance with a U.S. EPA-approved work plan that, with the exception of a "wedge" of soil at the base of the perimeter of the property, required radiological surveillance in eighteen inch (18") lifts of soil. While all surfaces of the wedge were surveyed and down-hole gamma logging was conducted which did not indicate the presence of radioactive contamination, during the Phase I Development of the property, it was discovered that the previous "wedge" investigation had not effectively identified all remaining radioactive contamination. Consequently, GaiaTech radioactively surveyed in 18" lifts the wedge within the Phase I Development. Within the Phase II Development, however, the "wedge" is now considered an uninvestigated area due to the potential for residual contamination.

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schedule for and method of implementation that you intend to use for the required institutional controls.

If you have any questions regarding this correspondence, please contact me at (312) 886-3601, or Larry Jensen, Health Physicist, at (312) 886-5026, or Eugene Jablonowski, at (312) 886-4591. Please direct any legal questions to Mary Fulghum, Associate Regional Counsel, at (312) 886-4693 or Cathleen Martwick, Associate Regional Counsel at (312) 886-7166.

Sincerely,

 FOR V.S.

Verneta Simon
On-Scene Coordinator

cc: Rhamat Begum, Chicago Department of Environment
Benet Haller, Chicago Department of Planning and Development
Kimberly Worthington, Chicago Department of Environment